

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,
Plaintiff,**

vs.

Criminal No. 05-1849 JH

**DANA JARVIS,
Defendant.**

NOTICE OF NON-AVAILABILITY

Joe M. Romero, Jr., counsel for Defendant Dana Jarvis, hereby gives notice of his non-availability from Monday, February 5, 2007 until Sunday, February 18, 2007 for the reason that counsel will be out of state on military duty as a reserve officer with the New Mexico Army National Guard.

Respectfully submitted,

/s/

By: _____
Joe M. Romero, Jr.
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I hereby certify that a copy of the foregoing pleading was mailed to opposing counsel this 16th day of January 2007.

/s/

Joe M. Romero, Jr.